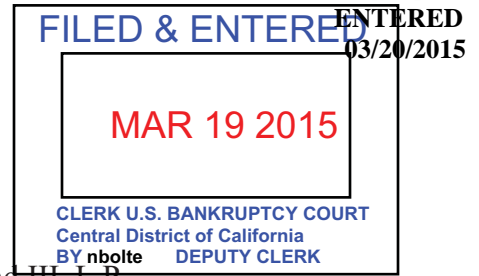




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Fund III, L.P.; and D&A Intermediate-Term Mortgage Fund III, L.P.

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION

In re
AMERICAN SPECTRUM REALTY, INC.,
Debtor.

Case No. 8:15-bk-10721-SC

Chapter 11

**ORDER TRANSFERRING VENUE OF
THE TEXAS BANKRUPTCY CASE TO
THIS COURT**

Hearing:

Date: March 19, 2015

Time: 11:00 a.m.

Place: Courtroom 5C

Ronald Reagan Federal Building
and United States Courthouse
411 West Fourth Street
Santa Ana, California 92701

The Order to Show Cause as to why the Texas Bankruptcy Case should not be immediately transferred to this Court came on for hearing on March 19, 2015 at 11:00 a.m., the Honorable Scott C. Clarkson, United States Bankruptcy Judge, presiding. James C. Bastian, Jr. and Ronald S. Hodges of Shulman Hodges & Bastian LLP appeared on behalf of petitioning creditors D&A Daily Mortgage Fund III, L.P., D&A Semi-Annual Mortgage Fund III, L.P., and

D&A Intermediate-Term Mortgage Fund III, L.P. (“Petitioning Creditors”). Todd Ringstad of Ringstad & Sanders, LLP appeared on behalf of American Spectrum Realty, Inc. (“Debtor”) in the involuntary bankruptcy pending against the Debtor in this Court as Case No. 8:15-bk-10721-SC (“Involuntary Bankruptcy Case”). Laura Petrie appeared on behalf of the Debtor as its state court counsel. Frank Cadigan appeared on behalf of the United States Trustee. Robert Opera specially appeared as potential new counsel to the Debtor in the Involuntary Bankruptcy Case. Richard Lee Fuqua, II and James L. Hurn appeared in their individual capacities only. All other appearances are reflected in the Court’s record.

After hearing argument from counsel, for the reasons and findings as stated on the record, and after careful consideration of all factors enunciated in relevant statutory and case law, proper notice having been given, and good cause appearing, it is hereby

ORDERED as follows:

1) The voluntary Chapter 11 bankruptcy filed on March 16, 2015 by the Debtor in the United States Bankruptcy Court for the Southern District of Texas as Case No. 15-31514 (“Texas Bankruptcy Case”) is hereby transferred to this Court such that the United States Bankruptcy Court for the Central District of California, Santa Ana Division, will administer both the Texas Bankruptcy Case and the Involuntary Bankruptcy Case pursuant to Federal Rule of Bankruptcy Procedure 1014(b).

2) The Debtor’s Emergency Motion for the Transfer of Venue to the Southern District of Texas (Docket No. 17) (“Venue Motion”) is rendered moot and the continued hearing on the Venue Motion set for April 9, 2015 is hereby taken off calendar.


3) The parties are invited to submit briefing at any time prior to the continued hearing set for April 9, 2015 on the Petitioning Creditors’ Emergency Motion for a Court Order Appointing an Interim Chapter 11 Trustee on the issue of whether the Texas Bankruptcy Case or the Involuntary Bankruptcy Case should be suspended.

4) The prior Order Granting Relief from the Automatic Stay Pursuant to 11 U.S.C. §362 (“Stay Order”) (Docket No. 22) entered by this Court on February 20, 2015 is of full force and effect.

5) The Petition for Writ of Mandate filed by the Petitioning Creditors in the San Diego County Superior Court, Case No. 37-2015-00006188-CU-WM-CTL, and the Ex Parte Application for Writ of Mandate or, in the Alternative, for an Order to Show Cause as to Why the Writ Should Not Issue filed in the state court proceeding and set for hearing on April 3, 2015, shall proceed consistent with the Stay Order for the purpose of allowing the state court to issue the writ sought in such proceeding.

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Date: March 19, 2015


Scott C. Clarkson
United States Bankruptcy Judge